

Practitioner's Docket No.: U 014850-7

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Date: October 30, 2003

Mail Stop Reissue

Commissioner for Patents

P.O. Box 1450, Alexandria, VA 22313-1450

REISSUE APPLICATION TRANSMITTAL

Transmitted herewith is the application for reissue of U.S.

☒ Utility Patent ☐ Plant Patent ☐ Design Patent

No. US 6,310,069 B1 issued on October 30, 2001

Inventor(s): Vidya Bhushan **LOHRAY**; Braj Bhushan **LOHRAY**; Rao Bheema **PARASELLI**; Ranga Madhavan **GURRAM**; Rajagopalan **RAMANUJAM**; Ranjan **CHAKRABARTI**; Sarma K.S. **PAKALA**

Title: **HETEROCYCLIC COMPOUNDS, PROCESS FOR THEIR PREPARATION AND PHARMACEUTICAL COMPOSITIONS CONTAINING THEM AND THEIR USE IN THE TREATMENT OF DIABETES AND RELATED DISEASES**

Enclosed are the following:

1. Specification, claim(s) and Abstract (37 C.F.R. §1.173) and Certificate of Correction of the patent

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☒ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

37 C.F.R. 1.8(a)

- ☐ with sufficient postage as first class mail.

37 C.F.R. 1.10*

- ☒ as "Express Mail Post Office to Addressee"
Mailing Label No. EY 327550659 US
(mandatory)

TRANSMISSION

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Signature

Connie Yannotti

(type or print name of person certifying)

Date: October 30, 2003

" Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(Reissue Application Transmittal [17-1]-page 1 of 6)

2. Declaration and power of attorney

☒ 29 pages of declaration and power of attorney

3. Preliminary Amendment

(check, if applicable)

☒ Attached

☒ The claims are amended and there is attached a separate statement as to the status of the claims and an explanation of the support in the specification for the changes in accordance with 37 C.F.R. § 1.173(c).

4. Offer to surrender the original Letters Patent in accordance with 37 C.F.R. § 1.178 is attached.

☒ Offer to surrender is by the assignee of the entire interest (and the reissue application does not seek to enlarge the claims of the original patent) along with assent of assignee.

5. A copy of the original printed patent is attached.

6. Priority - 35 U.S.C. § 119

☒ Priority of application Application No. 1150/MAS/1996, filed on July 1, 1996, in India (Country) is claimed under 35 U.S.C. § 119.

☒ The certified copy has been filed in prior application Application No. 08/777,627 filed on December 31, 1996.

7. Basic Filing Fee Calculation (37 C.F.R. § 1.16(h), (i) and (j))

CLAIMS AS FILED				
Number Filed	Number Extra	Rate	Basic Fee (37 C.F.R. 1.16(h)) \$ 770.00	
Total Claims (37 C.F.R. § 1.16(j))	3 - 20 (and also in excess of total claims in patent)	1 X \$18.00	\$ 18.00	
Independent Claims (37 C.F.R. § 1.16(i))	2 - (number of independent claims in patent)	1 X \$86.00	\$ 86.00	
			\$ 874.00	

NOTE: Multiple dependent claims are treated as ordinary claims for fee purposes. 37 C.F.R. § 1.16(j).

8. Method of Payment of Fees

- ☒ Attached is a ☒ check ☐ money order in the amount of \$ 874.00
☒ Charge any additional fees required by this paper or credit any
overpayment to deposit amount 12-0425


SIGNATURE OF PRACTITIONER

JANET I. CORD

(type or print name of practitioner)

Reg. No.: 33,778

Tel. No.: (212) 708-1935

Customer No.: 00140

P.O. Address

c/o Ladas & Parry
26 West 61st Street
New York, N.Y. 10023

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: VIDYA BHUSHAN LOHRAY, et al

Serial No.: 09/535,387

Group No.: 1616

Filed: MARCH 24, 2000

Examiner: QAZI, S.

Batch No. C71

For: NOVEL HETEROCYCLIC COMPOUNDS, PROCESS FOR THEIR PREPARATION
AND PHARMACEUTICAL COMPOSITIONS CONTAINING THEM AND THEIR
USE IN THE TREATMENT OF DIABETES AND RELATED DISEASES

Assistant Commissioner for Patents
U.S. Patent and Trademark Office
Office of Publications
Query and Correspondence Branch
Crystal Plaza 2 Room-6C30
Washington, D.C. 20231

LETTER ACCOMPANYING AMENDMENT AFTER ALLOWANCE
(37 C.F.R. Section 1.312)

1. Please make the amendments shown in the attached papers in this application in the

- ☐ abstract.
- ☐ specification.
- ☐ drawings.
- ☒ claims.

NOTE: "No amendment may be made as a matter of right in an application after the mailing of the notice of allowance." 37 C.F.R. Section 1.312(a).

NOTE: Any increase in fees that may be required by amendments to the claims must be attended to in full in the attached papers or by general authorization to pay fees under 37 C.F.R. Section 16, otherwise, the amendment will not be considered by the Examiner. M.P.E.P. Section 714.16(c), 7th ed.

NOTE: The above address is that recommended in the Notice of November 4, 1986 (1072 O.G. 27-70 at page 35).

2. Type of amendment:

☐ Correction of formal matters

As shown in the remarks of the attached paper, these (1) are needed for proper disclosure or protection of the invention and (2) require no substantial amount of additional work on the part of the PTO.

NOTE: No showing as to why the amendments to correct formal matters was not earlier presented need be made, unless the issue fee was already paid.

☒ Other (affects the disclosure, the scope of any claim or adds a claim) (M.P.E.P. Section 714.16, 7th ed.)

As shown in the remarks in the attached supplemental page(s), there is stated the reason (1) why the amendment is needed, (2) why the proposed amended or new claims require no additional search or examination, (3) why the claims are patentable, and (4) why they were not earlier presented.

3. The issue fee:

- ☐ has not been paid.
☒ is paid separately herewith.
☐ was paid on _____.

NOTE: Any amendment after the date the issue fee is paid must be accompanied by a petition including the fee set forth in 37 C.F.R. Section 1.17(i) and a showing of good and sufficient reasons why the amendment is necessary and was not earlier presented. 37 C.F.R. Section 1.312(b).

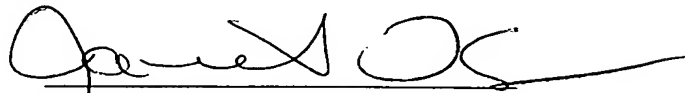
4. Petition, fee, and good and sufficient reason:

(complete if applicable)

- (a) ☐ Because the issue fee has been paid, the applicant hereby petitions for entry of the attached amendments. (37 C.F.R. Section 1.312(b)).
- (b) ☐ Petition fee (37 C.F.R. Section 1.17(i)) of \$130.00 is paid by
☐ the attached check.
☐ authorization to charge the petition fee to Deposit Account _____ .
A duplicate of this petition is attached.
- (c) ☐ In the remarks, in the attached supplemental page(s), is a showing, as required by 37 C.F.R. Section 1.312(b), for amendments filed after the date the issue fee is paid, of good and sufficient reasons why the amendments are necessary and were not earlier presented.

5. Additional fees:

- ☒ Please charge Account 12-0425 for any additional fees that may be required by the filing of this paper.



SIGNATURE OF PRACTITIONER

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LADAS & PARRY

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26 WEST 61ST STREET

NEW YORK, NEW YORK 10023

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Vidya Bhushan Lohray, et al.

Reissue Application No.:

Group No.:

Filed:

Examiner:

For: HETEROCYCLIC COMPOUNDS, PROCESS FOR THEIR PREPARATION AND
PHARMACEUTICAL COMPOSITIONS CONTAINING THEM AND THEIR USE IN THE
TREATMENT OF DIABETES AND RELATED DISEASES

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

STATUS OF CLAIMS AND SUPPORT FOR CLAIM CHANGES

(37 C.F.R. § 1.173(c))

NOTE: 37 CFR § 1.173(c): "Whenever there is an amendment to the claims pursuant to paragraph (b) of this section, there must also be supplied, on pages separate from the pages containing the changes, the status (i.e., pending or canceled), as of the date of the amendment, of all patent claims and of all added claims, and an explanation of the support in the patent for the changes made to the claims."

1. The status of the claims as a result of the amendment submitted herewith is:

Claims cancelled: _____

Claims amended: _____

Claims added: 3

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

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37 C.F.R. 1.8(a)

☐ with sufficient postage as first class mail.

37 C.F.R. 1.10*

☒ as "Express Mail Post Office to Addressee"
Mailing Label No. EW327550659US
(mandatory)

TRANSMISSION

☐ transmitted by facsimile to the Patent and Trademark Office.Date: October 30, 2003

Signature

CONNIE YANNOTTI

(type or print name of person certifying)

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2. The support in the disclosure of the patent for the changes made to the claims and for the claims added is as follows:

Claim 3 is being added. The compounds are:

PREPARATIONS	SUPPORT FOUND IN:
9-19	Columns 29-33
22-25	Columns 34-35
28	Column 37
29	Column 38
31	Column 39
33	Column 39
34	Column 34

(X) October 30, 2003
date



SIGNATURE OF PRACTITIONER

JANET I. CORD

(type or print name of practitioner)

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c/o Ladas & Parry
26 West 61st Street
New York, N.Y. 10023
Reg. No. 33,778 (212) 708-1935

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 6,310,069 B1
DATED : October 30, 2001
INVENTOR(S) : Lohray et al.

Page 1 of 2

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Title page.

Item [63], "Continuation-in-part" should read -- Divisional of application No. 09/353,286 filed on Jul. 14, 1999, now Pat. No. 6,114,526, which is a divisional of 08/884,816, filed 6/30/97 now Pat. No. 5,985,884 and a CIP of 08/772,627, filed 12/31/96 now Pat. No. 5,885,997 --

Insert -- [30] **Foreign Application Priority Data**

Jul. 1, 1996 [IN] India..... 1150/MAS/96 --.

Column 1.

Line 8, "CIP" should read -- DIV of 09/353,286 filed on Jul. 14, 1999, now U.S. Pat. No. 6,114,526, which is a DIV of 08/884,816 filed 6/30/97 now Pat. No. 5,985,884 and a CIP of 08/777,627, filed 12/31/96 now Pat. No. 5,885,997 --

Column 9.

Line 21, after "NHCOC₆H₅" please replace "," with -- ; --.

Line 22, after "NHCOOCH₂C₆H₅" please replace "," with -- ; --.

Column 20.

Line 40, please replace "condition" with -- conditions. --.

Column 23.

Lines 43 and 63, after "DMSO" please insert a -- , --.

Column 24.

Line 38, after "maleic acid" please insert a -- , --.

Column 36.

Line 55, please replace "propanecate" with -- propanoate --.

Column 41.

Line 16, please replace "-trifluoromethyl-(-1,6-" with -- -trifluoro-methyl-1,6- --.

Line 54, please replace "iced" with -- ice --.

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 6,310,069 B1
DATED : October 30, 2001
INVENTOR(S) : Lohray et al.

Page 2 of 2

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 42,

Line 46, please replace "furthe" with -- further --.

Column 53,

Line 15, please replace "triethy lamine" with -- triethyl amine --.

Column 60,

Line 4, please replace "methyl" with -- methylene --.

Line 42, please replace "methyl" with --methylene--.

Line 67, please replace "2444°C" with -- 244°C --.

Column 62,

Line 56, please replace "5- [4-[[[(6,7-" with -- 5- [4-[[[6,7 --.

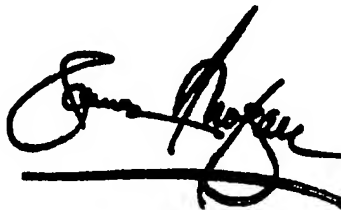
Column 63,

Line 19 after "(10.0g, 25.3 mmol)" please insert -- t-BuOK --.

Line 21, please delete "tBuOK".

Signed and Sealed this

Thirteenth Day of May, 2003

A handwritten signature in black ink, appearing to read "James E. Rogan", written over a horizontal line.

JAMES E. ROGAN
Director of the United States Patent and Trademark Office